



# CITY OF GILLETTE

Administration  
P.O. Box 3003 • Gillette, Wyoming 82717-3003  
Phone (307) 686-5203  
www.gillettewy.gov

## MEMORANDUM

**TO:** Mayor and Members of the City Council  
**FROM:** J. Carter Napier, City Administrator *JCN*  
**RE:** General Information  
**DATE:** October 30, 2015

The following meetings are scheduled for the week of **October 31 – November 6:**

### **Saturday, October 31<sup>st</sup>**

#### **Trick-Or-Treat Main Street and Boo Fest (See Attached)**

- Gillette Main Street starting at 12:00 P.M.

### **Sunday, November 1<sup>st</sup>**

#### **Daylight Savings Time (Set Clocks Back One Hour)**

### **Monday, November 2<sup>nd</sup>**

#### **6:00 p.m. City Council Pre-Meeting, agenda attached**

- Holiday Parking Request from the Gillette Main Street Committee
- 2016 Employee Health Benefits & Medical Fund – John Aguirre
- Recommendation to Appoint Alex Berger to the Boys and Girls Club
- Executive Session
- City Hall – 3<sup>rd</sup> Floor Conference Room
- Dinner served at 5:30 p.m.

#### **7:00 p.m. City Council Meeting**

- City Hall – 2<sup>nd</sup> Floor Community Room

1. Attached please find the current monthly **calendar** for **November**.
2. Attached please find **follow-up information** requested by **Councilman Kuntz** from the **October 27, 2015 City Council Special Meeting** regarding the **Gurley/Kluver Pedestrian Crossing** provided by **Development Services Director Hamilton**.
3. Attached please find the **Attorney General Opinion** regarding **historic horse racing terminals**.
4. Attached please find a **Memorandum of Understanding** regarding the **Lodging Tax Capital Construction Fund**.
5. Attached please find a **memorandum** regarding the **Plat change at RC Ranch Business Park** provided by **Development Services Director Hamilton**. They are requesting **special reading** at a **Council Work Session**.
6. Attached please find the **Historic Preservation Commission Board meeting minutes** dated **September 29, 2015**.
7. Attached please find an **update** from **WAM** dated **October 27, 2015** on **local, state, and national issues**.

8. Attached please find an **email** regarding **Movember** starting on **November 2, 2015** provided by **Communications Manager Palazzari**.
9. Attached please find a **flyer** regarding a **Wreath Sponsorship** provided by **WreathsAcrossAmerica.org**.

JCN/ale





TRICK  
-OR-TREAT  
MAIN STREET  
& BOO  
FEST  
OCTOBER 31



FAMILY FRIENDLY  
FREE ACTIVITIES

12-6PM :  
TRICK-OR-TREAT MAIN STREET  
CARAMEL APPLES, APPLE CIDER  
CARNIVAL ACTIVITIES

12PM - GONE :  
PUMPKIN PAINTING FOR KIDS

12-5PM :  
PUMPKIN CARVING COMPETITION  
WINNERS ANNOUNCED AT 5PM

1-3 PM : PUMPKIN PIE CONTEST  
WINNERS ANNOUNCED AT 3PM

2-4PM : PHOTO BOOTH

2PM : PET COSTUME PARADE





# CITY OF GILLETTE

Administrative Services Department

City Clerk Division

Karlene Abelseth, City Clerk/Print Shop  
P.O. Box 3003 • Gillette, Wyoming 82717-3003  
Phone (307) 686-5210 • Fax (307) 686-4810  
[www.gillettewy.gov](http://www.gillettewy.gov)

**Pre-Meeting – 6:00 p.m.**  
**City Hall – 3rd Floor Conference Room**  
**Monday, November 2, 2015**  
**Dinner Served at 5:30 p.m.**

## Pre-Meeting Topic(s):

- Holiday Parking Request from the Gillette Main Street Committee
- 2016 Employee Health Benefits & Medical Fund – John Aguirre
- Recommendation to Appoint Alex Berger to the Boys and Girls Club
- Review November 2nd Agenda
- Executive Session



# November 2015

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			5		6	7
Daylight Saving Time 2:00 a.m.	Years of Service Luncheon W/City Administrator  Steven Dillard, PD 5 Yrs, Sherri Palmer FIN 10 Yrs, Erin Lile, PD 10 Yrs, Dayleena Brandenburg, FIN 10 Yrs, Melissa Bell, PW 10 Yrs, Martha Edwards, AS 20 Yrs, Shaun Hannigan, PD 20 Yrs, Phyllis Jassek, PD 30 Yrs  12 PM 3rd Fl Council Pre-Meeting Holiday Parking Request 2016 Employee Health Benefits & Medical Fund Recommendation to Appoint Boys and Girls Club Member - Alex Berger 6 PM-3rd Fl City Council Meeting 7 PM-2nd Fl Comm Rm					
Turn Clocks Back 1hr						
8	9	10	11	12	13	14
		City Council Work Session Council Chambers Training Broadband Consultant Report - Vantage Point Goldenrod Avenue Discussion Update Stormwater Permit Ordinance Discussion 5:30 PM-2nd Fl	Veteran's Day  City Office's Closed			
15	16	17	18	19	20	21
	City Council Specil Meeting Ward 2 Interviews Executive Session - Appointment of Public Officer Announcement of Council Member for Ward 2 Vacancy (Tentative) 6:00 PM-3rd Fl	City Council Pre-Meeting Country Club Golf Course Discussion Mobile Technology Presentations 6:00 PM-3rd Fl Reception for New Council Member, 6:45 PM. Council Chambers (Tentative) City Council Meeting 7 Pm-Chambers	Employee/Council Thanksgiving Luncheon Noon - City West	Senior Center Luncheon 12PM *Dancing with the Stars Performance*		NEWY Municipal Leaders Regional Meeting 8:00AM City Hall - 3rd Fl
22	23	24	25	26	27	28
		City Council Work Session CANCELED		Thanksgiving Day City Offices Closed	Safety Day City Offices Closed	
29	30	1	2	3	4	5
	Years of Service Luncheon W/City Administrator  Kim King, DS 5 Yrs, Alex Samkovich, PD 5 Yrs, John Aguirre, HR 5 Yrs, Jill McCarty, DS 10 Yrs, Rebecca Elger, PD 15 Yrs, Sawley Wilde, PW 25 Yrs, Roger Brown, Utl 25 Yrs					
		Additional Information:				



Afton Evans &lt;aftone@gillettewy.gov&gt;

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## Gurley/Kluver Pedestrian Crossing - Warm Up Item Follow-up

1 message

**Dustin Hamilton** <dustinh@gillettewy.gov>

Wed, Oct 28, 2015 at 3:42 PM

To: Patti Davidsmeier &lt;Patti@gillettewy.gov&gt;, Carter Napier &lt;CarterN@gillettewy.gov&gt;, Afton Evans &lt;aftone@gillettewy.gov&gt;

Cc: Josh Richardson &lt;Josh@gillettewy.gov&gt;, Kurt Siebenaler &lt;Kurt@gillettewy.gov&gt;, Heath VonEye &lt;HeathV@gillettewy.gov&gt;

Carter/Patti/Afton,

It is my understanding that a question arose last night about pedestrian safety at the intersection of Gurley Avenue and Kluver Road and the possibility of installing flashing beacons similar to those which were installed at several school/pathway crossings this past summer. The Phase II School Zone/Pathway project grant was awarded by WYDOT and plans are currently being reviewed by their staff for approval. The six additional crossing improvements are part of the second phase of the grant project and will be located at Gurley/Kluver, Warlow Drive at the Bicentennial Park Crossing, on Overdale near Prairie Wind and the Park to the south, Harder Drive at Sage Valley Jr. High, and Harder Drive near Paintbrush Elementary School. The work varies in scope at the different crossings. The Gurley/Kluver and Warlow/Bicentennial Park Crossings include the installation of the rectangular rapid flashing beacons.

Once the drawings are approved by WYDOT, we will be packaging up the project, putting it out for bid, and the Council will consider the award of the contract. It is estimated the project will be bid out this winter and will be constructed by the end of next summer. The final contract times will be developed as part of the bid package.

If you have additional questions, please let me know.

Dustin

—  
Dustin Hamilton, P.E.  
Development Services Director  
City of Gillette, Wyoming

Phone: 307-686-5265

My email has changed to [dustinh@gillettewy.gov](mailto:dustinh@gillettewy.gov)





RECEIVED

SEP 28 2015

BY: 

## *Office of the Attorney General*

**Governor**  
Matthew H. Mead

**Attorney General**  
Peter K. Michael

Administration Division  
123 State Capitol  
Cheyenne, Wyoming 82002  
307-777-7841 Telephone  
307-777-6869 Fax

**Chief Deputy Attorney General**  
John G. Knepper

September 23, 2015

Charles E. Moore  
Executive Director  
Wyoming Pari-Mutuel Commission  
Energy II Building  
951 Werner Court, Suite 335  
Casper, WY 82601

Dear Director Moore:

You asked this office to answer “whether the current historic racing terminals are legal under Wyoming’s pari-mutuel and gambling laws.”

### **Short Answer**

No. Although “pari-mutuel” in some respects, each of the nine current historic racing terminals’ themes contain events or characteristics that are contrary to Wyoming’s pari-mutuel statutes.

### **Background**

In considering your question, I have reviewed Wyoming’s general gambling statutes (Wyoming Statute § 6-7-101, *et seq.*), pari-mutuel statutes (Wyoming Statute § 11-25-101, *et seq.*), and pari-mutuel rules and regulations. Further, I reviewed various documentation you provided me, including but not limited to, a February 6, 2015, Report of Findings prepared by Gaming Laboratories International (GLI). (Attachment 1).

Following that initial review, it became apparent that the game themes’ manufacturer, Race Tech, LLC, offered a differing explanation of how some of the game theme outcomes were determined. As a result, this office sought further review by GLI to resolve any discrepancies.

On June 9, 2015, GLI completed an Updated Report of Findings, providing further details necessary for this opinion. (Attachment 2). The Updated Report of Findings provides an operational analysis of the historic racing machines in Wyoming, and the primary factual basis upon which this opinion is based.

Both operators offering historic racing games, along with Race Tech, were provided an opportunity to review the GLI Updated Report of Findings to verify its accuracy. Following this informal "comment period," the operators and Race Tech generally acknowledged that the report was accurate. Each operator also provided its own legal analysis as to the legality of the historic racing terminals, which this office carefully considered. Factually, one discrepancy was identified regarding an individual game theme's payout. According to the comments, which this office has confirmed, "Wild West Willie's Lucky Draw" does not offer a "Trinella" pool payout as stated in GLI's Updated Report of Findings. However, that discrepancy does not affect this office's legal analysis discussed below. Further, one commenter took exception to the use of the words "random or randomly appear[ing] 28 times." The comment asserted that the frequency of those words "provide[d] an attack point for those against [the historic racing terminals,]" but recognized the usage of those words to be "unavoidable."

With that said, "Instant Racing" is a patented computerized machine connected to a central server storing more than 100,000 videos of horse races that have been run in various locations in the United States. These Instant Racing machines allow players to wager on these previously run races stored on the central server. At the time of this opinion, there are nine different game themes operating in Wyoming.

When a player inserts money into the Instant Racing machine, information regarding a randomly selected historic race is displayed without identifying the race's location or date the race was run. The horses are identified only by number and the player is therefore unable to know the outcome of the race before the wager is placed. The wagered money is pooled with other wagers placed on similar game themes and denominations across the United States.

Depending upon each of the nine game themes, there are different wagering denominations including \$.05, \$.25, \$1.00 and \$5.00. The first player within the pool to have placed a winning wager wins the pool, less authorized deductions established by the law of the jurisdiction in which each wager was placed. If no player within a particular pari-mutuel pool is successful, the pool is carried over.

If a player chooses to use it, limited past performance information (presented in graphic form) is available to predict the race's top three finishers. Alternatively, the player may forgo using this past performance information and use the "handi-helper" function that automatically chooses the order of finishers based upon past performance statistics.

There are different ways to win each game theme. All game themes begin with an initial horse race where the player has the opportunity to use limited past performance information to



predict the winning three horses. Once the wager is placed, the machine displays a brief video clip of the horses crossing the finish line, and the race's date and location are then revealed to the player. Depending on the theme, it may contain one or more "bonus" rounds to determine the ultimate outcome and whether a player wins or loses. Most, if not all, of those bonus rounds appear to be based upon random events where the player is unable to exercise "skill or judgment" to increase his odds of success.

### **Relevant History**

In 2004, the Wyoming Pari-Mutuel Commission sought an opinion from this office as to the legality of Instant Racing machines in Wyoming. In two separate opinions, this office considered similar Instant Racing machines under the Wyoming pari-mutuel statutes as they existed in 2004. (Attachments 3 & 4). Attorney General Pat Crank concluded that the Instant Racing machines were illegal gambling devices, because "historic" horse racing did not qualify as a "pari-mutuel event" under Wyoming law and that the statutes would have to be amended for historic horse racing to be legal.

In the 2004 opinions, Attorney General Crank also questioned the so called "bonus rounds" included in the Instant Racing machines and whether they "crossed the line into illegal gambling." That opinion stated that: "The determination as to whether these machines qualify as a pari-mutuel form of wagering likely requires a fact based analysis that is inappropriate, if not impossible, to provide in the format of an Attorney General legal opinion. The Pari-Mutuel Commission will need to make specific factual determinations to determine the exact characteristics of this new form of wagering."

On June 28, 2004, following the opinions, Wyoming Horseracing, Inc., was ordered by law enforcement to cease operating the "Instant Racing" terminals situated in its Cheyenne off track betting location, and to remove all terminals. Wyoming Downs Rodeo Events, LLC filed an action for declaratory judgment, seeking the district court's declaration that Instant Racing was lawful in Wyoming.

The matter proceeded to the Wyoming Supreme Court. Under the Wyoming pari-mutuel statutes in existence at the time, the Court generally concluded that historic races did not qualify as a "simulcast" race and, therefore, the Wyoming Pari-Mutuel Commission lacked authority to authorize their use in the state. The Court further concluded that under existing law, those machines were "illegal gambling devices."

[W]e conclude that the district court correctly construed and applied the applicable statutes and that it did not err as a matter of law in applying the statutes as it did. The description of the "Instant Racing" gaming device found in the patent documents makes it unmistakable that it is a "gambling device" as defined by Wyoming law. Moreover, the description of the gaming device's operation provided in Wyoming Downs' affidavit, as well as the photographs depicting the

gaming device which were put into evidence, corroborate the inescapable conclusion that the “Instant Racing” terminals are “gambling devices” that the Wyoming State Pari-mutuel Commission could not authorize via the statutory powers granted to it.

*Wyo. Downs Rodeo Events, LLC v. State*, 2006 WY 55, ¶ 14, 134 P.3d 1223, 1230 (Wyo. 2006).

In 2013, the Legislature amended Wyoming’s pari-mutuel statutes to allow for wagering on “historic” pari-mutuel events through the use of an “electronic system or device.” Pursuant to that statutory change, the Wyoming Pari-Mutuel Commission adopted amended rules to regulate “historic racing.”

Upon reviewing Gaming Laboratories International’s Updated Report of Findings, this opinion answers whether these Instant Racing machines qualify as pari-mutuel in nature and are legal under Wyoming statutes as amended in 2013.

#### **Relevant Law**

Wyoming law provides that both “gambling” and “professional gambling” are crimes. Wyo. Stat. Ann. § 6-7-102. “Gambling” is defined by Wyoming Statute § 6-7-101:

(iii) “Gambling” means risking any property for gain contingent in whole or in part upon lot, chance, the operation of a gambling device or the happening or outcome of an event, including a sporting event, over which the person taking a risk has no control, but does not include any of the following:

\* \* \* \*

(C) Other acts or transactions now or hereafter expressly authorized by law[.]

Wyo. Stat. Ann. § 6-7-101(a)(iii). “Gambling device” is defined as “any device, machine, paraphernalia or equipment except an antique gambling device that is used or usable in the playing phases of any professional gambling activity, whether that activity consists of gambling between persons or gambling by a person involving the playing of a machine[.]” Wyo. Stat. Ann § 6-7-101(a)(iv).

“Notwithstanding W.S. 6-7-101(a)(iv) . . . the commission may authorize and promulgate rules providing for pari-mutuel wagering on events that have previously occurred, utilizing an electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone[.]” Wyo. Stat. Ann § 11-25-102(a)(v).



“Professional gambling” means: “(A) Aiding or inducing another to engage in gambling, with the intent to derive a profit therefrom; or (B) Participating in gambling and having, other than by virtue of skill or luck, a lesser chance of losing or a greater chance of winning than one (1) or more of the other participants[.]” Wyo. Stat. Ann § 6-7-101(viii).

As an exception to “gambling,” Wyoming statutes established the Wyoming Pari-Mutuel Commission, which regulates pari-mutuel events and wagering thereupon. *See* Wyo. Stat. Ann. § 11-25-101. The Commission is required to “make reasonable rules and regulations for the control, supervision and direction of applicants and permittees, including regulations providing for resolving scheduling conflicts and settling disputes between permittees and the supervising, disciplining, suspending, fining and barring from pari-mutuel events of all persons required to be licensed by this act, and for the holding, conducting and operating of all pari-mutuel events conducted pursuant to this act.” Wyo. Stat. Ann. § 11-25-104(e).

Wyoming pari-mutuel statutes provide the following pertinent definitions:

(iv) “Event” means a pari-mutuel event;

(v) “Pari-mutuel event” means the events which are authorized by the commission for the conduct of horse racing (to include quarter horse, thoroughbred or other approved races), harness racing, cutter racing, chariot racing, chuckwagon racing, professional roping events and simulcasting of dog racing and the events described in this paragraph as prescribed by the commission. Notwithstanding W.S. 6-7-101(a)(iv) and 11-25-107, the commission may authorize and promulgate rules providing for pari-mutuel wagering on events that have previously occurred, utilizing an electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone;

(vi) “Pari-mutuel wagering” means wagering on the outcome of pari-mutuel events in which those who wager purchase tickets of various denominations on entrants in the events and all wagers for each event are pooled and held by the permittee for distribution, and when the outcome of the event has been decided, the permittee distributes the total wagers comprising the pool, less an amount not greater than twenty-five and nine-tenths percent (25.90%) for live racing and in the event of simulcasting an amount not to exceed the percentage allowed at the host track or thirty-five percent (35%), whichever is less and less the amount for breakage to holders of tickets on the winning entries;

(vii) “Simulcasting” means the sale of pari-mutuel pools electronically transmitted live or historic on interstate or intrastate pari-mutuel events as prescribed by the commission.

Wyo. Stat. Ann. § 11-25-102(a)(iv)-(vii).

### **Discussion**

With that statutory framework in mind, and given this office's prior recognition of the difficulty associated with determining the legality of each Instant Racing game theme, it is simpler to identify what the law requires of a historic racing theme rather than what it prohibits. This analysis will provide guidance both on machines already in use, and on machines that may be presented for Commission approval in the future.

The Commission has adopted the Association of Racing Commissioners International model rules, ARCI-004-155 Proprietary Wagers. The Instant Racing machines in this state appear to operate according to those rules as discussed in GLI's Updated Report of Findings. However, to the extent those rules allow wagering on events that do not comply with Wyoming pari-mutuel statutes, the rules may need to be revisited.

An administrative agency's authority to promulgate rules is circumscribed by the statutes that govern its activities. Rules promulgated in excess of an agency's authority are null and void. *McLean v. Hyland Enters., Inc.*, 2001 WY 111, ¶ 30, 34 P.3d 1262, 1270 (Wyo. 2001). An agency may not rewrite a statute through its rulemaking power. *U.S. West Commc'ns, Inc. v. Wyo. Pub. Serv. Comm'n*, 992 P.2d 1092, 1096 (Wyo. 1999).

Whether the Instant Racing machines operating in Wyoming are "legal" is ultimately dependent upon Wyoming statutes. Pursuant to Wyoming statute, the Commission may authorize wagering on "historic" pari-mutuel events provided that:

1. The wager is "on the outcome of pari-mutuel events," specifically, horse racing, harness racing, cutter racing, chariot racing, chuckwagon racing, a roping event, or dog racing;
2. The pari-mutuel events "have previously occurred";
3. The player utilizes an "electronic system or device that affords an opportunity for the exercise of skill or judgment"; and
4. The outcome is "not completely controlled by chance alone."

Wyo. Stat. Ann. § 11-25-102(a)(v)-(vi).

As stated above, the Commission employed an independent third party, Gaming Laboratories International, to review each of the nine Instant Racing Machines operating in Wyoming. GLI categorized the nine game themes into "base types." Base Type 3 contains six similar game themes, and Base Type 4 contains three similar game themes.

### **Analysis of the Individual Game Themes**

#### **Base Type 3 Game Themes:**

##### **1. Wild West Willie's Lucky Draw**

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player's selected numbers are placed in the center column of a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has five paylines across the grid which the player may wager on from one to five of those paylines.

Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. If three or more of the first place finishing horse's symbol appears on a payline in which the player wagered, the player then qualifies for a bonus game. The bonus game consists of two rounds.

In the first round, five target symbols are displayed hiding a "multiplier value" ranging from 2 to 10 and are randomly placed. The player selects the symbol and reveals the multiplier value to be used in the second round.

In the second round, the player is presented with statistical information and selects one horse he expects to win a historic race. An animated graphical depiction of the horse race is shown in place of the actual historic race. Depending upon how the player's selected horse finishes in this animated race, the player is awarded a share of the prize pool. That share is multiplied by the randomly selected multiplier value from the first round of the bonus game to determine the final outcome.

##### **2. Pigs in Mud 2**

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player's selected numbers are placed in the leftmost column of a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has five paylines across the grid which the player may wager on from one to five of those paylines.



Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. The “wild” symbol may also randomly appear in the grid as a substitute for a winning symbol and may have a multiplier from 2 to 10 to increase winning line payouts. If three or more of the first, second or third place finishing horse’s symbol appears on a payline in which the player wagered, the player then qualifies for a bonus game.

In the bonus game, the player selects from images of five mud pits. Four of the mud pits are associated with a hidden prize value, while one mud pit reveals a “bathtub” with no prize value. The player selects mud pits one at a time, revealing prize values until the bathtub is revealed, or until all four prizes are revealed. To determine the final outcome, the initial prize amount is added to the bonus game prize amount, which may be multiplied by the number of times the player qualified on the five paylines.

### 3. Yukon Willie’s Gold Rush

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player’s selected numbers are placed in the leftmost column of a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has five paylines across the grid which the player may wager on from one to five of those paylines.

Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. The “wild” symbol may also randomly appear in the grid as a substitute for a winning symbol and may have a multiplier from 2 to 10 to increase winning line payouts. If three or more of the first, second or third place finishing horse’s symbol appears on a payline in which the player wagered, the player then qualifies for a bonus game.

In the bonus game, the player selects from images of five mountains. Four of the mountains are associated with a hidden prize value, while one mountain is a “dud” with no prize value. The player selects mountains one at a time, revealing prize values until the “dud” is revealed, or until all four prizes are revealed. To determine the final outcome, the initial prize amount is added to the bonus game prize amount, which may be multiplied by the number of times the player qualified on the five paylines.

#### **4. Treasures of Egypt**

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player's selected numbers are placed in the leftmost column of a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has five paylines across the grid which the player may wager on from one to five of those paylines.

Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. The "wild" symbol may also randomly appear in the grid as a substitute for a winning symbol and may have a multiplier from 2 to 10 to increase winning line payouts. If three or more of the first, second or third place finishing horse's symbol appears on a payline in which the player wagered, the player then qualifies for a bonus game.

In the bonus game, the player selects from images of five coffins. Four of the coffins are associated with a hidden prize value, while one coffin reveals a "mummy" with no prize value. The player selects coffins one at a time, revealing prize values until the "mummy" is revealed, or until all four prizes are revealed. To determine the final outcome, the initial prize amount is added to the bonus game prize amount, which may be multiplied by the number of times the player qualified on the five paylines.

#### **5. Sir Willie's Treasure Quest**

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player's selected numbers are placed one per row in random order and random position in a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race, or may be randomly filled with a "wild," "bonus," or "extra" symbol. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has nine paylines across the grid which the player may wager on from one to nine of those paylines.

Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. If three "bonus" symbols appear on an active payline in which the player wagered, and at least one of the player's three selections from the historic race finish in the top three positions, the player then qualifies for a bonus game. This game theme's bonus round has up to three levels.

In the first level, the player selects one of five swords, each embedded in a stone displayed on the screen. Four of the swords are associated with an animation that ends the bonus round, and one is associated with an animation of the sword rising from the stone. If the player selects the sword rising from the stone, they advance to the next bonus level.

In the second level, the player selects one of five keys. Four of the keys are associated with an animation that ends the bonus round, and one is associated with an animation of the key unlocking the drawbridge. If the player selects the key unlocking the drawbridge, they advance to the next bonus level.

In the third level, the player selects one of five doors. Four of the doors are associated with an animation that ends the bonus round, and one is associated with an animation of a princess. To determine the final outcome, the initial prize amount is added to the bonus game prize amount, which may be multiplied by depending upon the outcome and amount wagered.

#### 6. Cruisin' for Cash

A player of this game theme makes his selections of horse numbers based upon his expectation of how the first three horses will finish. Past performance information is available to the player prior to making his selections. The player's selected numbers are placed one per row in random order and random position in a five column, three row grid. Remaining grid positions are filled with random numbers ranging from 1 to 10 and represent horse numbers from the race, or may be randomly filled with a "wild," "bonus," or "extra" symbol. The numbers of the first, second and third place finishers in the horse race are replaced with corresponding graphic symbols within the grid. This game theme has nine paylines across the grid which the player may wager on from one to nine of those paylines.

Following the horse race and the random placement of all horse numbers/symbols in the grid, the machine evaluates the paylines for combinations of three, four or five of the same symbol. If three "bonus" symbols appear on an active payline in which the player wagered, and at least one of the player's three selections from the historic race finish in the top three positions, the player then qualifies for a bonus game. This game theme's bonus round has up to three levels.

In the first level, the player selects one of twenty-one checkered flags. Twenty of the flags are associated with an animation that ends the bonus round, and one is associated with an animation of Rocko's hot rod. If the player selects Rocko's hot rod, they advance to the next bonus level.

In the second level, the player selects one of seven car keys. Six of the keys are associated with an animation that ends the bonus round, and one is associated with an animation of the Rocko's hot rod starting. If the player selects the key starting Rocko's hot rod, they advance to the next bonus level.



In the third level, the player does not have any input. An animation of a car race is displayed between Rocko's hot rod and three other cars. The cars finish in a random order. If Rocko's hot rod finishes first, the largest bonus round payoff is awarded.

**Analysis of Base Type 3 Game Themes:**

First, the wager is required to be "on the outcome of pari-mutuel events." Wyo. Stat. Ann. § 11-25-102(a)(vi). In general, each of the six game theme "outcomes" are based upon the following events:

1. A historic horse race;
2. Random placement of numbers and symbols into a grid, which is evaluated for three or more first place symbols on an active payline;
3. The selection of various symbols hiding random multiplier values; and
4. A second historic horse race shown in animated graphical depiction ("Wild West Willie's Lucky Draw" only).

The first event in each game theme appears to be an actual horse race, which is a pari-mutuel event. *See* Wyo. Stat. Ann. § 11-25-102(a)(v). The second event in each game theme, random placement of numbers in a grid to determine qualification for a bonus round, is similar to a slot machine event, not a pari-mutuel event as defined by statute. The third event in each game theme, selecting symbols at random, is the electronic equivalent of a "scratch off ticket" and not a pari-mutuel event. The fourth event, only present in "Wild West Willie's Lucky Draw," is technically a horse race, thus, a pari-mutuel event. However, it is questionable whether the Legislature intended to include an animated graphical depiction of a horse race as a pari-mutuel event in lieu of an actual horserace.

Second, the pari-mutuel events must "have previously occurred." Wyo. Stat. Ann. § 11-25-102(a)(v). The horse races in each game theme have previously occurred as required, however, the bonus round events are neither pari-mutuel events, nor have they previously occurred. The bonus round events "occur" in real time as the machine makes random calculations for grid placement and prize values, and as the player selects various symbols at random.

Third, the player must utilize an "electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone." Wyo. Stat. Ann. § 11-25-102(a)(v). The game themes appear to afford this mandatory opportunity by offering handicapping information on the historic horse races. However, with respect to both qualifying for the bonus rounds and to choosing the symbols hiding the prize values that determine the ultimate outcome, these events are randomly determined. Although skill or judgment may play a part in determining which numbers are placed in the grid, number/symbol placement is determined at random. In fact, it appears that even if the player successfully picks one or more horses that place in the top three positions, the player may not win money depending

upon the random placement of number/symbols in the grid. Finally, no skill or judgment is exercised in picking the bonus game symbols, whether the player is awarded a 2 or 10 multiplier to the outcome is based purely upon chance.

The Base Type 3 game themes do not meet the statutory requirements of Wyoming pari-mutuel wagering. The game themes consist of wagering on non-pari-mutuel events that have not previously occurred, and wagering on the outcome of those events is controlled by chance alone.

**Base Type 4 Game themes:**

**“Double Horseshoes,” “Very Cherry,” and “Super Fired Up Sevens”**

These three game themes are nearly identical in the way they are played. All three game themes consist of an initial historic horse race and a subsequent “bonus” race. The main difference in the games is the visual display of the symbols for entertainment purposes.

A player in these game themes makes his selections of horse numbers based upon his expectation of which three horses may finish first in the initial historic race. Past performance information is available to the player prior to making his selection. The player’s selected horse numbers are compared to the historic race result and if any of the player’s selections finish first, the player qualifies pool in the “bonus wager.”

In the bonus wager, the machine randomly selects a second historic race. The player is not provided past performance or “handicapping” information for the second historic horse race. Further, the player does not “choose” any horses in the second historic race. Finally, this second race is not shown to the player, the results of the second race are only considered internally in combination with the results of the first race to determine whether the player “wins or loses.” There does not appear to be any way for the player to know that a second historic horse race takes place.

For example, assume the player selects horse numbers 4, 5 and 6 in the initial race. Next, assume that the 4 horse wins. The machine then selects a random second historic race. Based upon the outcome of the second race, the machine compares those results to a table of permutations and awards the prize accordingly. Each permutation of finish orders corresponds to a prize pool and if the player’s selected numbers and finish order match according to the permutation, that player wins the corresponding prize pool. The matched permutation determines symbols to be shown on an “entertaining display” similar to that of a slot machine. A single payline is used to display winning symbols. If none of the selected numbers match, no prize is awarded.

**Analysis of Base Type 4 Game Themes:**

First, the wager is required to be “on the outcome of pari-mutuel events.” Wyo. Stat. Ann. § 11-25-102(a)(vi). This game theme’s “outcome” is based upon the following events:

1. A historic horse race where the player selects his horses; and
2. A historic horse race where the player does not select his horses.

Both events appear to be an actual horse race, which is a pari-mutuel event. However, according to GLI’s Updated Report of Findings, a player does not appear to have an indication that a second horse race takes place. The player is not given past performance information on a second race, is not given the chance to select horses for a second race, the second race is not displayed on the machine, and the results of that second race are not displayed. In fact, absent having knowledge of the machine’s internal workings from the GLI Updated Report of Findings, a player has no evidence that he is wagering on the outcome of a second race. The “results” of this second race are simply compared to the results of the initial historic horse race to create a permutation that determines whether the player wins or loses. For these reasons, it is questionable whether this second historic horse race qualifies as a “pari-mutuel event” and, therefore, questionable whether the ultimate outcome is based on pari-mutuel events.

Second, the pari-mutuel events must “have previously occurred.” Wyo. Stat. Ann. § 11-25-102(a)(v). The game theme’s horse races have previously occurred as required, according to GLI’s Updated Report of Findings. However, as discussed above, the second race only exists “internally” and the player is unaware that he is wagering on the outcome of this second race. This raises questions about whether the second race meets this statutory provision’s intent.

Third, the player must utilize an “electronic system or device that affords an opportunity for the exercise of skill or judgment where the outcome is not completely controlled by chance alone.” Wyo. Stat. Ann. § 11-25-102(a)(v). The game theme appears to afford an opportunity for the player to exercise skill or judgment where the outcome is not completely controlled by chance alone by offering handicapping information on the initial historic horse race. However, the game theme does not afford this same opportunity on the second historic horse race. No past performance information is available to the player in which to exercise skill or judgment, and the outcome of the second race appears to be based upon chance alone.




### Conclusion

The Instant Racing game themes operating in Wyoming are contrary to Wyoming's pari-mutuel statutes. Although all game themes are lawful to an extent, the ultimate outcome is determined, in part, by events that are non-pari-mutuel in nature and based upon total chance. Just as giving someone a scratch-off ticket with each "live" horse race wager does not make scratch-off tickets legal in Wyoming, combining one historic pari-mutuel event with a series of non-pari-mutuel "bonus round" events does not make the game themes lawful.

The Legislature amended Wyoming statutes, allowing an additional medium for wagering on pari-mutuel events. It did not legalize wagering on events that, on their own, would otherwise be illegal. Irrespective of the 2013 amendment, the Wyoming Supreme Court's observation back in 2006 remains apropos: "[W]e are dealing with a slot machine that attempts to mimic traditional pari-mutuel wagering. Although it may be a good try, we are not so easily beguiled." *Wyo. Downs Rodeo Events, LLC v. State*, 2006 WY 55, ¶ 18, 134 P.3d 1223, 1230 (Wyo. 2006).

Please do not hesitate to contact us if you have any further questions.

  
Peter K. Michael  
Wyoming Attorney General  
Misha E. Westby  
Deputy Attorney General  
Michael T. Kahler  
Senior Assistant Attorney General



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## EVALUATING ENCORE USING THE WY ATTORNEY GENERAL'S FOUR PART TEST

In his opinion to the Wyoming Pari-mutuel Commission, the Attorney General suggested a four-part test to determine whether a wager on a historic horse race is statutorily permissible.

1. Is the wager on the outcome of a pari-mutuel event (horse race, dog race, etc.)?

ENCORE: YES. The outcome of all Encore wagers is determined solely by the results of horse races. No random elements, random numbers, random draws, or anything besides the results of horse races is used to determine the outcome of Encore wagers. Again, "GLI has confirmed that the **outcome for the (Encore) game is determined by the predictions made by the player and the historical horse race results.**"

2. Have the pari-mutuel events previously occurred?

ENCORE: YES. The outcome of all Encore wagers is determined strictly by the results of previously conducted horse races. As the Encore system does not rely on random calculations for grid placements and prize values (or for any other outcome determination), all subjects of Encore wagers occurred previously.

3. Does the player utilize an electronic system or device that affords an opportunity for the exercise of skill or judgment?

ENCORE: YES. All Encore wager outcomes are determined solely by the results of horse races. Players are provided handicapping information about the races, and have sole discretion in selecting their predicted finishing order for all three horse races. "The objective (of the Encore wagers) is to correctly predict the finishing position of as many of the horses in each of the three races as possible, where the **number of correctly predicted finishes**, and higher predicted finishes ('Win' being highest, 'Place' next highest, etc.) **determines the prize** to be awarded." As such, every Encore wager affords the player an opportunity for the exercise of skill or judgment.

4. Is the outcome completely controlled by chance alone?

ENCORE: NO. There are no random elements that determine Encore wager outcomes. All Encore wager outcomes are determined strictly by the results of previously run horse races. Therefore, there are no elements of "chance" in the Encore system and the wagers themselves.

## CONCLUSION

The Encore system passes all four elements of the Attorney General's four-part test, as such, the Encore system and wagers are statutorily permissible in Wyoming.



From: Eugene Joyce <[etjoyce13@yahoo.com](mailto:etjoyce13@yahoo.com)>

Date: Fri, Oct 23, 2015 at 10:52 AM

Subject: Historic Horse Racing Update

To:

October 23rd, 2015

I wanted to take this opportunity to update you on the current events regarding the Wyoming Horse Racing Industry and in particular, wagering on Historical Horse Racing. As you may know, the Wyoming Pari-mutuel Commission (WYPMC) made a ruling on October 2<sup>nd</sup> based on an opinion letter from the Attorney General, to suspend wagers utilizing the 9 games themes provided by Race Tech to the race track and OTB operators in the State (see attached AG's Opinion). The AG determined that these game themes did not conform to Wyoming Statutes by using a four part test outlined in his opinion. Though disappointed, we stand by the AG's assessment.

Make no mistake, Pari-mutuel wagering on Historical Horse Racing is still legal in Wyoming. It is the operating system's software that is the problem. The current vendor has stated that it will take 3 to 4 months to write new code for his software. This situation highlights the problems any industry can have when they rely on a single source vendor for a particular technology.

The good news is that there is another vendor, Encore, trying to get licensed with the WYPMC right now. They are currently licensed and operating in Kentucky. Their system passes the Wyoming AG's four part test with flying colors (see attachment). The quickest way to get our industry up and going again is to have a better product approved right now.

Would you please contact Charlie Moore, the Executive Director of the WYPMC at [charles.moore@wyo.gov](mailto:charles.moore@wyo.gov). Ask him to forward your e-mail to all of the Commissioners. **Please let them know the importance of this revenue stream to your community** and encourage them to approve this new vendor, Encore, as we await the other vendor to fix their problem. This is the quickest way to get revenue flowing again to the cities and counties.

Our industry has done everything we have promised to do. From generating revenue for cities and counties (\$2.5 million so far this year) to running expanded Live Race Days (32). We have brought back Live Horse Racing throughout the state and have re-vitalized the Wyoming Race Horse Breeding Program. We have been paying it forward and on time since Day One of historical horses racing. Please help us continue to grow the pie for everyone.

Please call me at 307-708-2331, if you have any questions.

Thank you for your time and consideration in this matter.

And thank you for your support of the Wyoming Horse Racing Industry.

Yours Very Truly,

Eugene T. Joyce  
President  
Wyoming Horse Racing LLC



**LODGING TAX CAPITAL CONSTRUCTION FUND**  
**MEMORANDUM OF UNDERSTANDING**

This agreement is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2015, between, CAMPBELL COUNTY (hereinafter referred to as COUNTY) and the CITY OF GILLETTE (hereinafter referred to as CITY), the TOWN OF WRIGHT, (hereinafter referred to as WRIGHT) and the CAMPBELL COUNTY LODGING TAX JOINT POWERS BOARD, (hereinafter referred to as the BOARD). The COUNTY, BOARD, WRIGHT and the CITY may be referred to hereinafter collectively as the Parties.

**I. PURPOSE**

This Memorandum of Understanding (MOU) shall outline the terms of understanding among the Parties with respect to the establishment and maintenance of a capital fund by the BOARD.

**II. BACKGROUND**

At the primary election in August of 2008, the voters of Campbell County approved a proposition to establish a 2% excise tax upon the sales price paid for lodging services within Campbell County. Wyoming Statutes require that a joint Powers Board be established to oversee spending the tax revenues. A Joint Powers Agreement to establish the Lodging Tax Joint Powers Board was prepared and approved by Campbell County, Gillette and Wright and then formally approved by the Wyoming Attorney General on December 5 of 2008. The Board has 7 members, a majority of whom are from the travel and tourism industry. Gillette, Campbell County and Wright may each choose one member who does not need to be in the travel and tourism industry and the remaining four members of the board is appointed two by Gillette and one each from Campbell County and Wright.

**III. ESTABLISHMENT OF FUND**

Wyoming Statutes section 39-15-211 (a)(ii)(B)(II) provides that not to exceed 10% of the Lodging tax distributed may be used for general revenue within the governmental entity imposing the tax. That portion of the tax distribution is returned

to the COUNTY, in the proportion that the amount collected outside the corporate limits of its cities and towns bears to the total amount collected within the county (County share), and to GILLETTE and WRIGHT, in the proportion that the amount collected within their corporate limits bears to the total amount collected within the county (Wright share and Gillette share). The Parties agree that the BOARD shall retain these tax revenues in a capital construction fund to be used exclusively for the construction of a facility located in Gillette, to house the operations of the BOARD, (the PROJECT) in lieu of returning those revenues to the other PARTIES as provided by law. If a proposition to continue the tax is defeated and the tax is not reimposed then this agreement shall terminate and the accumulated tax within the capital construction fund (the Capital Fund) shall be returned to the parties as follows: the County share to COUNTY, the Wright share to WRIGHT and the Gillette share to GILLETTE. If a proposition to continue the tax is defeated and the tax is not reimposed, the Parties may use the Capital Fund to continue the operation of the Visitors Center(s) and may contract with another entity such as the Campbell County Convention and Visitors Bureau, (CCCVB) for that purpose.

#### IV. PROJECT MANAGEMENT

The Parties agree that should the capital construction fund become sufficient to fund the construction of a of a facility located in Gillette, to house the operations of the BOARD, then the parties shall meet and execute an addendum to this MOU concerning the design, construction, and management of such a facility. The Parties agree that the CITY will be responsible for the design and construction management of the overall project and will serve as the conduit for the BOARD and the Parties to have input into all facets of the project.

#### V. OWNERSHIP OF FACILITY

It is the intent of the Parties that the PROJECT will be owned by the BOARD. ~~The Parties acknowledge that PROJECT will be serviced by all CITY utilities, constructed on a tract of land within the City of Gillette.~~ If a proposition to continue the tax is defeated and the tax is not reimposed then this agreement shall terminate and the facility shall be jointly owned by the Parties, in proportion to their individual contribution to the total cost of the PROJECT. *6/21/15*

VI. USE OF FACILITY

The BOARD shall operate the entire facility and pay all costs associated with its regular operations including utilities and general maintenance, upkeep and housekeeping, as well as exterior maintenance of the parking lot, and landscaping on the property.

VII. FURNISHINGS AND EQUIPMENT.

The Parties agree that BOARD shall provide furnishings and equipment to outfit all spaces in the PROJECT.

VIII. FIRE, CASUALTY AND LIABILITY INSURANCE

The BOARD shall maintain fire and extended coverage insurance on the facility in such amounts as are deemed appropriate for fire and extended coverage insurance on all personal property located in the premises.

During the course of construction liability insurance coverage will be provided as follows:

General Total limit:	\$2,000,000.
Products & Completed Work total:	\$2,000,000.
Personal Injury Each Person limit:	\$2,000,000.
Each Event limit:	\$2,000,000.
Premises Damage limit:	\$ 500,000.
Builders Risk:	\$Valuation of Project

Additionally, during the course of construction the Parties will be named as Additional Insureds.

IX. INDEMNITY AGREEMENT

Nothing in this Agreement shall be read to constitute or to require a waiver of any rights of the Parties under the doctrine of sovereign immunity, or a waiver of its immunity under the Wyoming Governmental Claims Act, W.S. 1-39-101 *et sec.*

X. COMPLIANCE WITH LAW

The Parties represent that their possession, occupancy, and use of the premises will comply with all applicable federal, state, county and city laws and regulations.


XI. SIGNATURES

In witness whereof, the Parties, through their authorized representatives, have executed this MOU on the dates set out below and certify that they have read, understood and agree to the terms and conditions of this MOU as set forth herein.

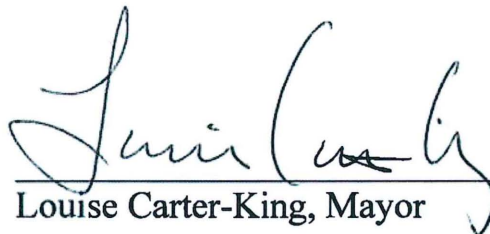
**CAMPBELL COUNTY, WY**

  
Matt Avery, Chairman

Attest:

  
Susan Saunders, County Clerk

**CITY OF GILLETTE, WY**

  
Louise Carter-King, Mayor

Attest:

  
Karlene Abelseth, City Clerk

**TOWN OF WRIGHT, WY**

\_\_\_\_\_  
Ralph Kingan , Mayor

Attest:

\_\_\_\_\_  
Barbara Craig, City Clerk

**CAMPBELL COUNTY LODGING TAX JOINT POWERS BOARD**

\_\_\_\_\_  
, Chairman

Attest:

\_\_\_\_\_  
, Secretary



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♦ **S & S Builders, LLC** ♦  
*Providing World-Class  
Construction Services and Craftsmanship*

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October 29, 2015

City of Gillette  
PO Box 3003  
Gillette, WY 82717-3003

RE: Plat change at RC Ranch Business Park  
Request for workshop reading

Dear Dustin:

S&S Builders, LLC has submitted a plat revision for RC Ranch Business Park I, in which lot 6 has been divided into three lots.

At this time, we have a client that needs to close on one of the lots by December 30, 2015. Based on my understanding of the schedule, at this time, the first reading would be December 1<sup>st</sup>; the 2<sup>nd</sup> reading would be December 15<sup>th</sup>; and our third reading would not take place until January 5<sup>th</sup> of 2016.

In effort to accommodate a closing by December 30, 2015, S&S Builders, respectfully requests that our second reading take place at a City Council workshop on or about December 8<sup>th</sup>, so that our 3<sup>rd</sup> reading could take place at the December 15<sup>th</sup>, City Council Meeting.

Please let me know if this can be accomplished. If you have any questions, or need further information, please give me a call at 307-686-5659 or email me at [lmanning@ssbuildersllc.com](mailto:lmanning@ssbuildersllc.com).

Sincerely,



Lori Manning  
Manager

S & S Builders, LLC ..... There is a difference!

---

P.O. Box 1867, Gillette, WY 82717  
(307) 686-5659 (307) 682-9335 Fax

P.O. Box 20033, Cheyenne, WY 82003  
(307) 632-7115 (307) 632-7140 Fax

EQUAL OPPORTUNITY EMPLOYER

**HISTORIC PRESERVATION COMMISSION  
FIRST MEETING AT  
CAMPBELL COUNTY SCHOOL DISTRICT  
EDUCATIONAL SUPPORT CENTER  
September 29, 2015**

PRESENT: Mary Kelley  
Charlene Busk  
Robert Henning  
Kim Roesser

ABSENT: N/A

**MINUTES**

The meeting was called to order at 5:30 p.m. on 9/29/15. This is the first meeting of the Historic Preservation Commission, with members appointed by City Council. There is no agenda and no officers have been selected yet. Charlene has not yet talked to Charlie Anderson, City Attorney, about whether or not we should meet at City Hall since we are a City commission. The group decided to schedule regular meetings for the 4<sup>th</sup> Tuesday of the month at 5:30 p.m.

Meeting dates were scheduled as follows:

September 29, 2015  
October 27, 2015  
January 26, 2016  
March 22, 2016  
May 24, 2016  
July 26, 2016  
September 27, 2016

Charlene will see that our meeting dates are listed in the News-Record like other City committees.

Robert suggested having 5 commission members. Charlene will ask Charlie how to advertise for that other person. We believe the City Council looks at all applications and the Mayor appoints one person.

We only represent buildings and locations within City limits. Individuals or parties that want to nominate a county property to the National Register should send that nomination directly to SHPO. Our elections will be due in January but we will elect officers now to serve until January 2016.

Nominations were for the following slate:

Charlene nominated Kim as Chairperson; Mary seconded the nomination.

Charlene nominated Mary as Secretary; Robert seconded the nomination.

Robert nominated Charlene as Vice-Chairperson; Kim seconded the nomination.

A motion was made by Charlene to accept the slate of officers; motion was seconded by Mary. Motion passed. Officers will hold office through January 2016.

In Section 6 of the By-Laws, the Historic Preservation Conference was mentioned. However, SHPO will come here to tell us about CLGs. The presentation will be open to City Council and City administration. Mary asked for time to find the building inventory she did as part of the downtown walking tour. Robert has the WY Cultural Properties Form which is Attachment A on the SHPO website. This form is the one used to record the inventory of our buildings. Charlene will get maps of the older areas of Gillette from GIS. We should become familiar with the Secretary of the Interior Cultural Properties form for identification and criteria for buildings to be listed on the National Register. Our goal is to recognize historic properties, not necessarily to get every property on the National Register. Some of the items on the form include address, date built, photo, significance, and description/style. We should contact SHPO to see what other CLG's use as a form and we should see inventory requirements on the SHPO website.

Annual Report mentioned. Probably not due for 2015. One of us should print the WY CLG Handbook (dated July 2006).

Mary brought up a question about whether she should send in the nomination of the old City Hall under the Campbell County Historic Society since we're not yet an official CLG. Mary will check with the Assessor for the owner's name. We will need to check with all owners for permission to take photos. There may be multiple owners.

Charlene will find out what dates are available with the media, as well as Kimberly putting together a list of resources.

The subject came up whether we could save the ISIS building downtown. The building is owned by the new First Northern bank. Could we recommend they use the building for indoor parking? Wheatland has a conference center comparable to the ISIS building that they use as a conference center. Patty Myers' son is in upper management with First Northern Bank in Buffalo. We don't know if he shares his mother's love of historic preservation but Charlene will ask.

Charlene moved we adjourn; Robert seconded. Meeting ended at 6:30 p.m.



Afton Evans &lt;aftone@gillettewy.gov&gt;

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**Word from WAM**

1 message

**Wyoming Association of Municipalities** <kwaldner@wyomuni.org>

Tue, Oct 27, 2015 at 10:56 AM

Reply-To: kwaldner@wyomuni.org

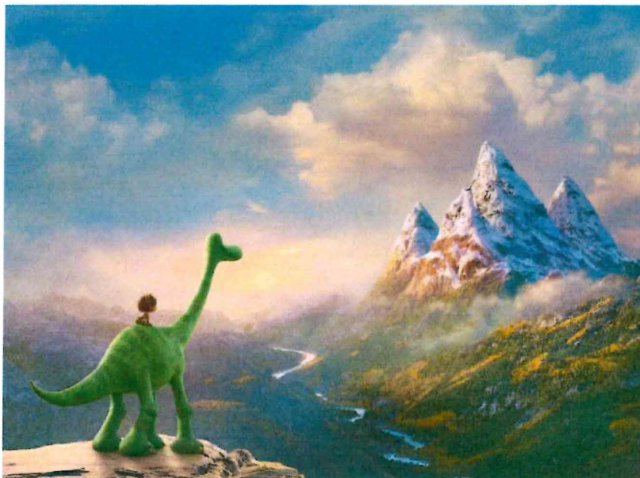
To: aftone@gillettewy.gov



Wyoming  
Association of  
Municipalities

Building Strong Communities

## *Word from WAM!*



Pixar

### **The Good Dinosaur**

Wyoming's landscape is getting national recognition by Pixar and the Wyoming Office of Tourism is hoping the film will become a marketing tool for the state. The film, *The Good Dinosaur*, will be released November 2015 and feature much of Wyoming's beautiful landscape.

**[Watch the trailer here.](#)**



**Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has.**

**~Margaret Mead**

### ***The CREG Report is Out***

Governor Matt Mead outlined his plan to deal with the revenue shortfall yesterday using the Consensus Revenue Estimating Group ([CREG](#)) report. This report's projections will affect the current fiscal year and shows lower revenue for the 2017-18 biennium. Governor Mead said, "The projection for the present fiscal year - FY 2016 - requires me to reduce appropriations to ensure spending does not exceed projected revenue. By state law, we cannot overspend."

Budget recommendations for the 2017-18 biennium are being developed now. Governor Mead's budget priorities are as follows:

- Investment in state and local governments. This investment keeps communities strong.
- Investment in education. This investment in our youth helps Wyoming stay competitive now and in the future.
- Investment in economic opportunities. This investment diversifies our economy, provides jobs for Wyoming people and supports our major industries - energy, tourism and ag.
- State programs necessary for our most vulnerable populations.

The state Consensus Revenue Estimating Group said that Wyoming revenue may slide 23 percent in 2017-2018. [Here is some more information on the outcome of this report.](#)

### ***City Administrators and Managers met in Jackson***

Each year the city administrators around the state come together to discuss local issues each are facing and discuss ways WAM can contribute its efforts to improve their communities. Local funding is everyone's top concern and developing ways to work with the state is important.

At the retreat the group had the opportunity to learn more about the leading industries in Wyoming. Kate Sollitt, Executive Director for Teton Travel and Tourism, and Jeff Golightly, President/CEO of Jackson Chamber of Commerce, discussed the economic impacts Jackson faces with its tourism and how the community captures and spends the money collected. They also discussed the benefits and challenges Jackson faces with its lodging tax. Carter Napier, Gillette City Administrator, talked about coal and its impacts on his community and region. He discussed the efforts being made in the north eastern region of the state by the NEWY group (WAM's Region II).

Bob McLaurin, Jackson's City Manager, took the group for a tour of Jackson. On the outing they visited the landslide that tore apart a house over a year ago and visited the START Bus Facility, which provides public transportation around the community.





**Wyoming Business Report  
Presents  
Economic Forecast**

**Hear insights about Southeast  
Wyoming's Economic Growth for 2016**

November 10, 2015

Holiday Inn

204 W. Fox Road

Cheyenne, Wyoming

[Register for Cheyenne](#)

**Gain perspective on Central Wyoming's  
unique economic forecast for the next year**

December 8, 2015

Ramkota Inn

800 N. Poplar St.

Casper, Wyoming

[Register for Casper](#)

*Wyoming Trivia*

**What can be found in the area of Wyoming known as Shirley Basin north of Medicine Bow, other than thousands of antelope?**

*Last week's answer:*

Q: Where is the largest area of unfenced land in the lower 48 states?

A: The Red Desert in southwest Wyoming contains the largest area of unfenced land in the lower 48 states.

tel: 307.632.0398 | fax: 307.632.1942 | [www.wyomuni.org](http://www.wyomuni.org)

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Wyoming Association of Municipalities | 315 West 27 Street | Cheyenne | WY | 82001



Afton Evans &lt;aftone@gillettewy.gov&gt;

---

## One Mo' Time!

1 message

**Geno Palazzari** <genop@gillettewy.gov>

Thu, Oct 22, 2015 at 3:35 PM

To: Everyone &lt;everyone@gillettewy.gov&gt;

Movember is almost here!

The City of Gillette Wellness Committee is again hosting Movember to promote Men's Health at the City of Gillette. Not a man? Do you have a dad, grandpa, uncle, husband, brother, son...? Are they too stubborn to see a doctor? Then this event is for you as well.

Movember will start Monday, November 2nd and continue to Friday, November 20th. It will begin with the Shave Off event in the City West breakroom at 7am on Nov. 2nd. Doug Dumbrell has graciously agreed to flip pancakes again. If you've never had them, they are AWESOME!

Sawley Wilde, John Aguirre, Jim Hloucal, Carter Napier, Dustin Hamilton, and Charlie Anderson will be captains again this year. We ask that all participants shave at the Shave Off event on the 2nd. Feel free to bring your own razors. We will be providing quality razors for those that forget. If you can't make it to the event, shave on your own and send me the selfie.

We will have prizes again this year:

Best Team Mo: Pizza Party

Best Indy Mo: \$50 Gold Bucks

Lame Mo: \$50 Gold Bucks

Fake Mo: \$50 Gold Bucks (There will be one male winner and one female winner)

Friday, November 13th will be Fake Mo Day. All non-participants in the Movember challenge can sport their best Fake Mo for the day. Send you pictures in to me, and we will post them for voting in the Fake Mo Contest at the end of the event along with the other awards. We will be providing fake mustaches.

If you have any questions, let me know. Thanks to City Administration for allowing us to do this again.

Geno Palazzari  
Communications Manager  
City of Gillette  
(O) 307-686-5393  
(C) 307-696-9088  
(F) 307-686-1593  
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## Our Mission: Remember Honor Teach Wreath Sponsorship Form

\*Sponsored wreaths are placed on the grave markers at state, national veterans cemeteries as well as local cemeteries each December.

Wreaths may be purchased online at [www.WreathsAcrossAmerica.org](http://www.WreathsAcrossAmerica.org)

If you wish to make your sponsorship with a credit card please visit our website for a secure online transaction.

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Please make checks payable to:

**Wreaths Across America TM**

PO Box 249

Columbia Falls, ME 04623

Questions? Please call 877-385-9504

Thank you for your Sponsorship and joining us in our mission to Remember, Honor and Teach!

Sponsorship	Price	Quantity	Total
Individual= 1 Wreath	\$15.00		
Mailed "In Honor" card= If you wish to send a mailed honor card telling someone of your sponsorship-see "In Honor" section below. *Card will not be mailed if the \$2 fee is not included.	\$2.00		
Family= 4 Wreaths	\$60.00		
Small Business= 10 Wreaths	\$150.00		
Corporate= 100 Wreaths	\$1500.00		
Merchandise available on WAA Website			
		Grand Total	

**\*\*SORRY- WE CAN NOT TAKE GRAVE SPECIFIC REQUESTS\*\***

### In Honor of:

Please provide email of "In Honor Of" recipient, or mailing address so a card can be sent notifying them of your sponsorship in their honor. (if you have a specific message please write it on the back of this sheet and we will include it.)

Email: \_\_\_\_\_

Mailing: \_\_\_\_\_

### In Memory of:

This name will be listed on our online memory wall, please provide name, rank, branch of service and state resided

Branch of Service: \_\_\_\_\_

Rank: \_\_\_\_\_

State: \_\_\_\_\_

Please note that all sponsorships are sent directly to the location and no wreaths are sent to the individuals purchasing sponsorships.

Location ID: WY0003 Fundraising Group ID: WYMPCG

### FOR OFFICE USE ONLY:

Cash \$: \_\_\_\_\_

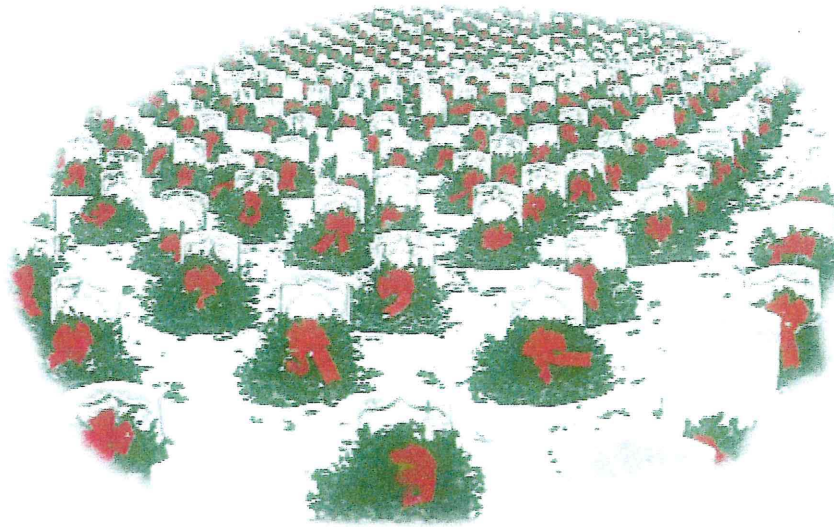
Total\$: \_\_\_\_\_ Date: \_\_\_\_\_

Total # Checks: \_\_\_\_\_

Reconciled: \_\_\_\_\_

MO \$:

GEN:



**WREATHS-ACROSS-AMERICA.ORG**  
**REMEMBER - HONOR - TEACH**

In 2007, the Worcester family, along with veterans, and others who had helped with their annual Christmas wreath ceremony in Arlington, formed Wreaths Across America™, to continue and expand this effort, and support other groups around the country who wanted to do the same. This nonprofit organization continues the Arlington tradition as part of its mission to Remember, Honor and teach.

In 2014, Wreaths Across America and our national network of volunteers laid over 700,000 memorial wreaths at over 1000 locations in the United States and beyond. We accomplished this with help from 2047 fundraising groups, many corporate contributions, and donations of trucking, shipping, and thousands of helping hands. Our annual pilgrimage from Harrington, Maine to Arlington National Cemetery is known as the world's largest veteran's parade, stopping at schools, monuments, veteran's homes and communities all along the way to remind people how important it is to remember, honor and teach.

Proceeds place a wreath at one of the participating cemeteries; help support our fundraising partners, educational and veteran's services outreach. Please note that all sponsorships are sent directly to the location and no wreaths are sent to the individuals purchasing sponsorships.

We welcome all to join us at any Wreaths Across America ceremony. If you would like to participate or help bring sponsored wreaths to your local community, please contact us and we will help connect you with other groups already working in your area.

### **Schedule of Events**

**Sunday, December 6, 2015**

Start of World's Longest Veterans Parade from Maine to Arlington National Cemetery and participating locations

**Monday, December 7, 2015**

State House wreath-laying ceremonies in all 50 States and Puerto Rico

**Saturday December 12, 2015**

please check with your local location leader for start times.

Simultaneous wreath laying ceremonies at over 900 locations all across the country and beyond.

For more information visit [www.WreathsAcrossAmerica.org](http://www.WreathsAcrossAmerica.org), or call 877-385-9504.

In Campbell County contact Toni C. Brown [tcbrown27@gmail.com](mailto:tcbrown27@gmail.com) 307-660-8592